

DATE TUESDAY OCTOBER 28, 2014

THE SALT LAKE COUNTY COUNCIL, STATE OF UTAH, MET ON TUESDAY, OCTOBER 28, 2014, PURSUANT TO ADJOURNMENT ON TUESDAY, OCTOBER 21, 2014, AT THE HOUR OF 4:03:52 PM AT THE SALT LAKE COUNTY GOVERNMENT CENTER, 2001 SO. STATE STREET, ROOM N1100, SALT LAKE CITY, UTAH.

COUNCIL MEMBERS

PRESENT:

RANDY HORIUCHI
RICHARD SNELGROVE
JIM BRADLEY
ARLYN BRADSHAW
AIMEE NEWTON
SAM GRANATO
STEVEN DEBRY
MAX BURDICK
MICHAEL JENSEN, Chair

OTHERS IN ATTENDANCE: BEN MCADAMS, MAYOR
SIM GILL, DISTRICT ATTORNEY

COUNCIL MEETING:

By: RALPH CHAMNESS, DEPUTY DISTRICT ATTORNEY

PLANNING & ZONING MEETING:

By: THOMAS CHRISTENSEN, DEPUTY DISTRICT ATTORNEY
JASON ROSE, LEGAL COUNSEL, COUNCIL OFFICE
SHERRIE SWENSEN, COUNTY CLERK
By: KIM STANGER & NICHOLE WATT, DEPUTY CLERKS

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Council Member Jensen, Chair, presided.

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Mr. Edward Trawick, Boy Scout Troop 17, led the Pledge of Allegiance to the Flag of the United States of America.

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Council Member Bradshaw, seconded by Council Member Snelgrove, moved to approve the minutes of the Salt Lake County Council meeting held on October 21, 2014. The motion passed unanimously, showing that all Council Members present voted "Aye."

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Ms. Mavy Ghavim, Executive Director, Caring for Kids Daycare, stated the pre-kindergarten children planted a vegetable garden in the south-west planter box of the Government Center. One of the eggplants grown in this garden, received a second place

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ribbon at the Utah State Fair. She presented Mayor Ben McAdams with the ribbon and a thank you card for allowing the children to use the planter box.

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointment of **Russell K. Booth** as a member of the Salt Lake County Board of Health to serve a three-year term. His term began June 30, 2014, and will end on July 1, 2017.

Council Member Bradshaw, seconded by Council Member Bradley, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Burdick, seconded by Council Member Snelgrove, moved to approve the appointment and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Members Horiuchi, Bradshaw, and DeBry were absent for the vote.] The Council motion passed unanimously, showing that all Council Members present voted "Aye."

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointment of **Clare Coonan** as a member of the Salt Lake County Board of Health to serve a three-year term. Her term began on June 30, 2013, and will end on July 1, 2016.

Council Member Bradshaw, seconded by Council Member Bradley, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Newton, seconded by Council Member Burdick, moved to approve the appointment and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Horiuchi and DeBry were absent for the vote.] The Council motion passed unanimously, showing that all Council Members present voted "Aye."

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The Council reviewed the decision made in the October 28, 2014, Committee of the Whole meeting regarding the establishment of a committee made up of two Council aides and the Mayor's staff to review the current travel policy and bring back recommendations in 90 days.

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The Council reviewed the decision made in the October 28, 2014, Committee of the Whole meeting asking the Council's Legal Counsel and the District Attorney's Office to look into the legality of whether the Council can approve legislative intent that supports openness and transparency with regard to taxes levied by the County, even when those tax revenues are

passed through to other entities, and annually review the pass through revenue and related expenses.

The Council reviewed the bylaws for the Tourism, Recreation, Cultural and Convention Facilities Tax Advisory Board.

Ms. Patricia Iverson, Contracts Administrator, Contracts & Procurement Division, submitted a letter recommending approval of the following RESOLUTION authorizing execution of an INTERLOCAL AGREEMENT, a CROSS EASEMENT AGREEMENT, and a SPECIAL WARRANTY DEED between Salt Lake County for its Real Estate Section and **West Jordan City** – Trade the Former West Jordan Library for Property at 7971 South 1825 West. Salt Lake County will convey the former West Jordan Library at 1970 West 7800 South to West Jordan City for use as a cultural arts center. In exchange, West Jordan City will convey 2.06 acres of its property at 7971 South 1825 West to the County, with the Right of First Refusal to purchase the property back if the County decides to sell it in the future. The library property has been appraised at \$1,250,000, and the city parcel at \$1,350,000. Since the trade benefits both parties, no additional consideration will be necessary. Term of the agreement is from the date of execution upon performance of all the obligations set forth in the agreement. The cross easement allows West Jordan City and Salt Lake County to use each other's parking areas adjacent to the West Jordan City Center and the Salt Lake County Health Department's new building in perpetuity.

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A. Salt Lake County (the “County”) owns fee title to the former West Jordan Library located at 1970 West 7800 South, West Jordan, Utah, identified as Parcel No. 21-27-357-022 (the “County Property”).

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B. The City of West Jordan (the “City”) owns certain real property located at 7971 South 1825 West, identify as Parcel No. 21-34-128-018, which is currently used solely as a parking lot (the “City Property”). The City Property is adjacent to the City’s City Center.

C. The Parties have each obtained and reviewed appraisals for the Parcels, and although the appraised values are somewhat different, the Parties hereby agree that the value of the County Property to the City is essentially equivalent to the value of the City Property to the County. The County Property and the City Property are individually referred to herein sometimes as a “*Parcel*” and collectively as the “*Parcels*.”

D. The County and the City would like to exchange title to the Parcels so that the County will own the City Property, which it currently intends to use as the potential future site of a Salt Lake County Health Department building, and the City will own the County Property and be able to use the County Property for a cultural arts center.

E. The Parties have also agreed to enter into a Cross-Easement Agreement to allow each other to use the other's parking areas adjacent to the City Center and the new Health Department building.

F. The County, having previously held a public hearing and having provided notice, declared the County Property surplus on September 9, 2014, and may now dispose of it.

G. It has been determined that the best interests of the County and the general public will be served by exchanging the Parcels with the City and that the execution of the attached Interlocal Cooperation Agreement. The exchange and conveyance of the Parcels will comply with all applicable state statutes and County ordinance.

RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the County Property described in Exhibit A to the attached Interlocal Cooperation Agreement shall be exchanged and conveyed to the City in exchange for the City Property described in Exhibit B to the attached Interlocal Cooperation Agreement by special warranty deeds in accordance with the terms of said Interlocal Cooperation Agreement; and the Mayor is hereby authorized to execute said Interlocal Cooperation Agreement, a copy of which is attached as Exhibit 1, and by this reference made a part of this Resolution.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Mayor and County Clerk are hereby authorized to execute such other documents as may be reasonably necessary to effectuate the closing contemplated by the approved Interlocal Cooperation Agreement including but not limited to the Special Warranty Deed attached as Exhibit C to the attached Interlocal Cooperation Agreement and the Cross-Easement Agreement attached as Exhibit E to the Interlocal Cooperation Agreement.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Mayor is authorized to accept from the City the executed Special Warranty Deed attached to the Interlocal Cooperation Agreement as Exhibit D at the closing contemplated by the approved

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Mr. Gregory Hawkins, County Auditor, submitted a letter recommending reduction of the 2013 greenbelt property taxes from \$1,550.77 to \$1,113.52 on the **Michael Carlson** property, identified as Parcel No. 33-10-426-002, pursuant to an order of the Utah State Tax Commission. He also recommended that a refund of \$437.25, plus interest be issued to the taxpayer.

Mr. Gregory Hawkins, County Auditor, submitted a letter recommending reduction of the taxes on the following properties, pursuant to an order of the Utah State Tax Commission. He also recommended that refunds in the amounts indicated, plus the appropriate interest, be issued to the taxpayers:

<u>Taxpayer</u>	<u>Parcel No.</u>	<u>Year</u>	<u>Reduction</u>	<u>Refund</u>
Thomas Lyness & Laurie Hilyer	24-26-151-037	2013	\$ 3,619.98 to \$ 3,088.40	\$ 531.58
LS Realty	28-05-301-057	2013	\$11,110.44 to \$ 9,824.72	\$ 1,285.72
Broomhead Funeral Home	27-28-478-025	2013	\$12,275.30 to \$ 9,784.69	\$ 2,490.61
Consolidated Properties	22-06-404-021	2013	\$95,864.57 to \$81,210.19	\$14,654.38
White Investment	28-09-353-015	2013	\$62,662.23 to \$47,053.50	\$15,608.73
Jesse Dansie	26-34-300-005	2013	\$ 1,956.56 to \$ 1,711.91	\$ 244.65
Murray Heights	22-18-105-009	2013	\$ 6,000.70 to \$ 5,629.20	\$ 371.50
	22-18-105-010	2013	\$ 8,035.85 to \$ 7,461.96	\$ 573.89
Michael Carlson	28-06-301-057	2012	\$ 4,202.44 to \$ 2,572.92	\$ 1,629.52
	28-06-301-058	2012	\$ 4,912.10 to \$ 2,840.63	\$ 2,071.47
	28-19-101-002	2012	\$ 3,974.32 to \$ 2,108.39	\$ 1,865.93
	28-19-351-016	2012	\$45,399.52 to \$22,875.70	\$19,523.82

Mr. Gregory Hawkins, County Auditor, submitted letters recommending reduction of the 2013 property taxes on the following properties, pursuant to an order of the Utah State Tax Commission. He also recommended that refunds, plus the appropriate interest, be issued according to the current record owner with interest:

<u>Taxpayer</u>	<u>Parcel No.</u>	<u>Reduction</u>
Bliss Parsons	16-17-377-013	\$9,115.68 to \$8,253.63

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Hossein Edjlali	22-08-278-051	\$ 532.46 to \$ 383.21
	22-08-278-052	\$ 532.46 to \$ 383.21
	22-08-278-053	\$ 514.71 to \$ 383.21
	22-08-278-054	\$ 514.71 to \$ 383.21
	22-08-278-055	\$ 564.73 to \$ 383.21
	22-08-278-056	\$ 564.73 to \$ 383.21
	22-08-278-057	\$ 514.71 to \$ 383.21
	22-08-278-058	\$ 514.71 to \$ 383.21
	22-08-278-059	\$ 564.73 to \$ 383.21
	22-08-278-060	\$ 564.73 to \$ 383.21
	22-08-278-061	\$ 637.33 to \$ 383.21
	22-08-278-062	\$ 637.33 to \$ 383.21
	22-08-278-063	\$ 676.06 to \$ 383.21
	22-08-278-064	\$ 676.06 to \$ 383.21
	22-08-278-065	\$ 676.06 to \$ 383.21
	22-08-278-066	\$ 637.33 to \$ 383.21

Mr. Kevin Jacobs, County Assessor, submitted a letter recommending that the 2014 privilege tax bill in the amount of \$513.72 be redirected from Salt Lake City Corporation to **Vaughn Kinder** on property identified as Parcel No. 08-33-201-002-6047.

Mr. Kevin Jacobs, County Assessor, submitted a letter recommending reduction of 2013 property taxes on the following **UCA Properties III** properties. These properties were deeded to a charter school in May of 2013 and should be 67 percent exempt

<u>Parcel No.</u>	<u>Reduction</u>
27-36-277-019	\$42,748.41 to \$14,204.28
27-36-254-001	\$ 154.52 to \$ 51.22

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to approve the recommendations. The motion passed unanimously, authorizing the County Treasurer to effect the same, showing that all Council Members present voted "Aye."

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Mr. Gregory Hawkins, County Auditor, submitted a letter recommending adjustment of the market value of the following properties assessed under greenbelt, pursuant to an order of the Utah State Tax Commission:

<u>Taxpayer</u>	<u>Parcel No.</u>	<u>Adjustment</u>
Jesse Dansie	26-33-326-002	\$1,211,100.00 to \$ 225,200.00
	26-33-426-001	\$ 409,400.00 to \$ 232,300.00
	32-03-100-001	\$2,088,000.00 to \$1,207,200.00

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Tree Park and neighboring properties be declared as surplus, and authorized its conveyance to **Cottonwood Heights City**. The Council also approved the attached RESOLUTION authorizing execution of an INTERLOCAL AGREEMENT, wherein Salt Lake County is conveying this property to Cottonwood Heights City by QUIT CLAIM DEED for the minimum real property conveyance price of \$150.00.

RESOLUTION NO. 4881

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A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL DECLARING
SURPLUS REAL PROPERTY AND AUTHORIZING EXECUTION OF THE
ATTACHED INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF
COTTONWOOD HEIGHTS AND THE ATTACHED QUITCLAIM DEED
CONVEYING THE SURPLUS REAL PROPERTY TO THE CITY OF
COTTONWOOD HEIGHTS

RECITALS

A. Salt Lake County ("County") owned certain real property, identified as Parcel No. 22-36-301-007, located at 8295 South Wasatch Boulevard, Cottonwood Heights, Utah, that it conveyed to the city of Cottonwood Heights ("City") in November 2010. This property is known as the Bair Tree Park ("Park").

B. Wasatch Oaks Condominiums and the Oaks at Wasatch PUD (collectively “Neighboring Properties”) are situated on parcels of real property located east of the Park. Recent surveys have determined that there is an approximately 24 foot wide gap of unclaimed property (“Gap Property”) between the Park and the Neighboring Properties.

C. The Gap Property is physically located within the presumed boundaries of the Park and has been treated by the City and the County as part of the Park.

D. Neither the original deed conveying title of the Park property to the County, nor the deed from the County to the City included the Gap Property.

E. The City would like to clear title to the Gap Property and add it to the Park.

F. The County Real Estate Section recommends that the County convey whatever interest it may have in the Gap Property to the City for the County's minimum price of \$150.00 to convey real property.

G. The County has determined that it is in the public interest to declare whatever interest the County may have in the Gap Property as surplus County property, enter into an Interlocal Cooperation Agreement with the City, and convey whatever interest the County may have in the Gap Property to the City.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Gap Property described in the Quitclaim Deed, a copy of which is attached as

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Council Member Bradshaw, seconded by Council Member Snelgrove, moved to set the date of Tuesday, December 2, 2014, at 4:00 p.m., to accept public comment and consider the rezoning and ordinance amendment requests. The motion passed unanimously, authorizing the County Clerk to place the Notice of Public Hearing in a newspaper of general circulation, and authorizing the Planning & Development Services Division to notify the surrounding property owners, showing that all Council Members present voted "Aye."



Mr. Spencer Brimley, Planning & Development Services Division, explained the following rezoning application to be heard:

Application #28944 – **Ruben DeLeon** to reclassify property located at 2690 South 7200 West from C-2 to C-3 zone.

Mr. Brimley stated the applicant is requesting approval of a zone change from the C-2 zone to a C-3 zone. The property is adjacent to another parcel that is zoned C-2. The rest of the surrounding parcels are zoned A-1. The General Plan shows this property along a Magna Corridor, which allows for flexible changes. The Magna Township Planning Commission recommended approval with an additional entrance off of the north side of the property. Recommendations from the Magna Community Council were not received.

Council Member Bradshaw, seconded by Council Member Horiuchi, moved to open the public hearing. The motion passed unanimously, showing that all Council Members present voted “Aye.”

Mr. Ruben DeLeonis, the applicant, 2690 South 7200 West, stated his intent is to open a used car lot business.

Ms. Sandy Slaymaker spoke in opposition to the application. She has concerns regarding the safety of the children from a nearby school, increased traffic, and lack of parking.

Council Member Horiuchi stated Ms. Slaymaker's concerns can be addressed during the conditional use discussion.

Mr. Brimley stated the applicant is looking for an opportunity to use the existing building, and reached out with a business plan, which the community supports.

Mr. Ernie Omaha spoke in opposition to the application. He has concerns of heavy traffic, the safety of children, and wants traffic lights installed.

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Mr. Thomas Michael Mansfield spoke in opposition to the application. He is concerned with the safety of children and blind spots that are created from parking on the street. Having a commercial business in that location will require some preparation, such as, reconstructing the sidewalks and a walking overpass. Having a business there will also depreciate the value of his home.

Council Member Jensen stated the safety concerns may be mitigated during the conditional use process.

Council Member Horiuchi, seconded by Council Member Bradley, moved to close the public hearing and forward Application #28957 to the November 4, 2014, Council meeting for formal consideration. The motion passed unanimously, showing that all Council Members present voted "Aye."

THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at 4:37:23 PM until Tuesday, November 4, 2014, at 4:00 p.m.

SHERRIE SWENSEN, COUNTY CLERK

By _____
Deputy Clerk

CHAIR, SALT LAKE COUNTY COUNCIL

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